

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

TITO REYES,)
)
Plaintiff,)
) Civil Action No. 10-129 Erie
v.)
)
DEBRA SAUERS,)
)
Defendant.)

MEMORANDUM ORDER

This civil rights action was received by the Clerk of Court on May 24, 2010 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [ECF No. 20], filed on May 10, 2011, recommended that the Motion to Dismiss filed by the Defendant [ECF No. 10] be granted. The parties were allowed fourteen (14) days from the date of service to file objections. Service was made on Plaintiff by certified mail and on Defendant. Objections were filed by Plaintiff on June 20, 2011 [ECF No. 22]. After de novo review of the Motion and documents in the case, together with the Report and Recommendation and objections thereto, the following order is entered:

AND NOW, this 22nd day of June, 2011;

IT IS HEREBY ORDERED that the Defendant's Motion to Dismiss [ECF No. 10] is GRANTED.

The Report and Recommendation [ECF No. 20] of Magistrate Judge Baxter, filed on May 10, 2011 is adopted as the opinion of the Court.

The Clerk is directed to mark the case closed.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge